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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,114	07/11/2001	Devendra Kumar	FSI0006/US/2	9548

7590 01/30/2003
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EXAMINER

TALBOT, BRIAN K

ART UNIT PAPER NUMBER

1762

DATE MAILED: 01/30/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

09/903,114

Applicant(s)

KUMAR ET AL.

Examin r

Brian K Talbot

Art Unit

1762

-- Th MAILING DATE of this communication appears on th cov r sh t with th correspond nce address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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1. The amendment filed 12/3/02 has been considered and entered. Claims 38-48 have been canceled. Claims 1-37 remain in the application.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. In light of the amendment filed 12/3/02, the objection to claims 5 and 6 have been withdrawn. In addition, the 35 USC 112 second paragraph rejection has been withdrawn.

Claim Rejections - 35 USC § 103

Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang et al. (6,042,994) in combination with Yoshioka et al. (5,968,691) ~~further in combination with Boas et al (6,215,106).~~

Yang et al. (6,042,994) in combination with Yoshioka et al. (5,968,691) further in combination with Boas et al (6,215,106) teach forming a dielectric film on a plurality of substrates by coating a dielectric film on a substrate inside a coating chamber, prebaking the film, cooling the film and finally curing the film. The apparatus for performing this process includes a door operational to a portal through which the substrate can be transferred to and from the chamber. The chamber can be placed in a state of vacuum during the process.

Response to Amendment

4. Applicant's arguments filed 12/3/02 have been fully considered but they are not persuasive.

Applicant argued that the combination of reference fails to teach a curing and post-curing step in the same processing chamber.

The Examiner agrees in part. As detailed in the rejection and pointed out in Applicant's arguments, Boas et al. teaches heating and cooling a substrate in a thermal process chamber (col. 4, lines 10-43). Hence, it is the Examiner's position that this limitation is met by the reference.

Applicant argued that the combination rejection is unclear as how and why the references are combined to meet the instant claims.


The rejection utilizes Yang et al. and Yoshioka et al for teaching forming dielectric films by coating, pre-baking, curing and post-curing steps. The Boas et al. reference is relied upon for teaching that the curing and post-curing steps can be performed in the same process chamber. Hence, it would have been obvious for one skilled in the art at the time the invention was made to have modified the Yang et al. and/or the Yoshika et al. references by utilizing a "processing apparatus" as evidenced by Boas et al. with the expectation of achieving similar success.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian K Talbot whose telephone number is (703) 305-3775. The examiner can normally be reached on Tuesday-Friday 6AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive P Beck can be reached on (703) 308-2333. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-6078 for regular communications and (703) 872-9765 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3775.


Brian K Talbot
Primary Examiner
Art Unit 1762

BKT
January 28, 2003